

Practitioner's Docket No. 2000DE133

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: SCHMIDT, et al.

1624#6
PATENT 3/4/03

RECEIVED

MAR 03 2003

TECH CENTER 1600/2900

Application No.: 10/001,777 ✓

Group No.: 1624

Filed: October 24, 2001 ✓

For: MIXED CRYSTALS OF BENZIMIDAZOLONEDIOXAZINE COMPOUNDS ✓

Assistant Commissioner for Patent
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. Sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office (703) ____ - ____.

Date: 2-19-2003

Ricki D. Bailey
Signature
Ricki D. Bailey
(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

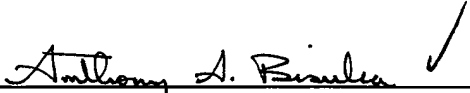
Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith).

1. ☒ Enclosures accompanying this Information Disclosure Statement are:
 - 1a. ☒ Form PTO-1449.
 - 1b. ☒ Copies of Information Disclosure Statement citations.
 - 1c. ☒ EPO Search Report for application no. 01124502, mail date of 1/3/2003.
 - 1d. ☐ Copies of Copending U.S. Applications.
2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) with the filing of the U.S. patent application. Accordingly, no fee or §1.97(e) Statement is required.
3. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 03-2060.
5. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(e) in that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Accordingly, no fee is required.
6. ☐ This Information Disclosure Statement is filed in conjunction with a Request For Continued Examination. Accordingly, no fee or §1.97(e) Statement is required.

7. ☒ The English language documents identified by reference in the TRANSLATION Section of the foreign patents list of the attached 1449 Form are believed to be a concise statement, or the equivalent or substantial equivalent to the foreign language documents cited in the attached 1449 Form.
8. ☐ In addition to the documents cited, the Office's attention is directed to the following copending U.S. Application Serial Number(s), copies of which are attached for the convenience of the Office:
9. ☒ References EP 0911337 and GB 2284427 that are listed in the EPO Search Report cited herein, were previously submitted, and copies provided with, the Information Disclosure Statement mailed on March 20, 2002.

Respectfully submitted,



Anthony A. Bisulca
Registration No. 40,913

CUSTOMER NO. 25,255

Clariant Corporation
Industrial Property Department
4000 Monroe Road
Charlotte, North Carolina 28205
Telephone: 704/331-7151
Facsimile: 704/331-7707